

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**  
*Philadelphia Division*

IN RE: TIMOTHY R JOHANSSON	Case No. 23-13546-amc Chapter 13
MSR Asset Vehicle LLC, Movant	
vs.	
TIMOTHY R JOHANSSON , Debtor	

**OBJECTION TO CONFIRMATION  
OF DEBTOR'S CHAPTER 13 PLAN**

MSR Asset Vehicle LLC ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Chapter 13 Plan* (Doc 2), and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on November 22, 2023.

2. Movant holds a security interest in the Debtor's real property located at 156 New Jersey Ave, Chalfont, PA 18914 (the "Property"), by virtue of a Mortgage which is recorded as instrument Number 2020097253 in Official Records of Bucks County, Pennsylvania. Said Mortgage secures a Note in the amount of \$0.00.

3. The Debtor filed a Chapter 13 Plan (the "Plan") on November 22, 2023 (Doc 2).

4. The Plan includes payments toward the Note and Mortgage with Movant, however the figures used by the Debtor are inaccurate. Although Movant has not yet filed its proof of claim, it is anticipated that the claim will show the pre-petition arrearage due Movant is

\$2,517.80, whereas the Plan proposes to pay only \$0.00. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Movant objects to any plan which proposes to pay it anything less than \$2,517.80 as the pre-petition arrearage over the life of the plan.

5. Movant objects to any plan which proposes to pay it anything less than \$2,517.8 as the pre-petition arrearage over the life of the plan.

**WHEREFORE**, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Andrew Spivack

Andrew Spivack, PA Bar No. 84439

Matthew Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

Jay Jones, PA Bar No. 86657

Attorney for Creditor

BROCK & SCOTT, PLLC

3825 Forrestgate Drive

Winston Salem, NC 27103

Telephone: (844) 856-6646

Facsimile: (704) 369-0760

E-Mail: PABKR@brockandscott.com

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**  
*Philadelphia Division*

IN RE: TIMOTHY R JOHANSSON	Case No. 23-13546-amc Chapter 13
MSR Asset Vehicle LLC, Movant	
vs.	
TIMOTHY R JOHANSSON , Debtor	

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and exact copy of the foregoing OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN has been electronically served or mailed, postage prepaid on this day to the following:

Via Electronic Notice:

BRAD J. SADEK, Debtor's Attorney  
1500 JFK Boulevard  
Ste 220  
Philadelphia, PA 19102  
brad@sadeklaw.com

SCOTT F WATERMAN [Chapter 13], Bankruptcy Trustee  
2901 St. Lawrence Ave.  
Suite 100  
Reading, PA 19606

Office of the U.S. Trustee, US Trustee  
Robert N.C. Nix Federal Building  
900 Market Street, Suite 320  
Philadelphia, PA 19107

Via First Class Mail:

TIMOTHY R JOHANSSON  
156 NEW JERSEY AVENUE  
CHALFONT, PA 18914

Date: December 14, 2023

/s/Andrew Spivack

Andrew Spivack, PA Bar No. 84439

Matthew Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

Jay Jones, PA Bar No. 86657

Attorney for Creditor

BROCK & SCOTT, PLLC

3825 Forrestgate Drive

Winston Salem, NC 27103

Telephone: (844) 856-6646

Facsimile: (704) 369-0760

E-Mail: PABKR@brockandscott.com